

**SUPREME COURT MINUTES  
WEDNESDAY, JANUARY 28, 2009  
SAN FRANCISCO, CALIFORNIA**

**S168950**      B195213 Second Appellate District, Div. 1      **RUNYON (L. RICHARD) v.  
BOARD OF TRUSTESS OF  
THE CALIFORNIA STATE  
UNIVERSITY**

Petition for review granted (civil case)  
George, C. J., was absent and did not participate.  
Votes: Corrigan, A. C. J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

**S169195**      **KLEFFMAN (CRAIG E.) v.  
VONAGE HOLDINGS CORP.**

Request for certification granted  
The request, made pursuant to California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit is granted.  
For the purposes of briefing and oral argument, plaintiff Craig E. Kleffman is deemed petitioner to this court. (Cal. Rules of Court, rule 8.520(a)(6).)  
George, C. J., was absent and did not participate.  
Votes: Corrigan, A. C. J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

**S120020**      **TAFOYA (IGNACIO  
ARRIOLA) ON H.C.**

OSC issued, returnable in Superior Court (Atkins claim)  
The Director of the Department of Corrections and Rehabilitation is ordered to show cause in the Orange County Superior Court, when the matter is placed on calendar, why petitioner's death sentence should not be vacated and petitioner sentenced to life imprisonment without the possibility of parole on the ground that he is mentally retarded within the meaning of *Atkins v. Virginia* (2002) 536 U.S. 304, as alleged in Claim 15 of the petition for writ of habeas corpus filed October 27, 2003. (See *In re Hawthorne* (2005) 35 Cal.4th 40.) The return is to be filed on or before February 27, 2009.  
All other claims, except Claim 21, are denied on the merits.  
Claim 21 is denied as premature, without prejudice to renewal after an execution date is set.  
The following claims are additionally barred to the extent they could have been, but were not, raised on appeal (*In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3; *In re Dixon* (1953) 41 Cal.2d 756,

759): Claims 7 (except to the extent it alleges ineffective assistance of counsel), 9 (except to the extent it alleges the prosecutor engaged in misconduct by referring to facts not in evidence and misstating and mischaracterizing evidence and by eliciting testimony from criminalist Loren Sugarman about the significance of the blood spatter); 11 (except to the extent it alleges the prosecutor improperly vouched for Grace Tafoya's credibility), 13 (except to the extent it alleges the trial court erred by refusing to give special instructions G and H), 17 (except to the extent it alleges the trial court failed to exercise its independent judgment in considering the automatic application for modification of the penalty), and 18 (except to the extent it alleges Penal Code section 190.3 is unconstitutional).

The following claims are additionally barred to the extent they were raised and rejected on appeal (*In re Harris, supra*, 5 Cal.4th at pp. 825, 829-841; *In re Waltreus* (1965) 62 Cal.2d 218, 225): Claims 4, 9 (to the extent it alleges the prosecutor engaged in misconduct by questioning petitioner whether Tim Wynglarz and Douglas Gattenby had lied during trial and referring to petitioner's advisements under *Miranda v. Arizona* (1966) 384 U.S. 436), 13 (to the extent it alleges the trial court erred by refusing to give special instructions G and H), 14, and 17 (to the extent it alleges the trial court failed to exercise its independent judgment in considering the automatic application for modification of the penalty).

Claims 1 and 2 are denied on the ground that they were not raised at trial. (*In re Seaton* (2004) 34 Cal.4th 193.)

Justice Werdegard would not apply the *Seaton* bar to claims 1 and 2.

George, C. J., was absent and did not participate.

Votes: Corrigan, A. C. J., Kennard, Baxter, Werdegard, Chin, and Moreno, JJ.

**S169727**      B199860 Second Appellate District, Div. 1      **PEOPLE v. TARKINGTON  
(LAMONT T.) & ALLEN  
(DARRIS)**

Review granted on court's own motion; transferred to Court of Appeal, Second Appellate District, Division One

At the request of the Court of Appeal, review is ordered on this court's own motion.

The cause is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its decision and to reconsider the cause as the Court sees fit.

Appellant Tarkington's petition for review is denied without prejudice.

George, C. J., was absent and did not participate.

Votes: Corrigan, A. C. J., Kennard, Baxter, Werdegard, Chin, and Moreno, JJ.

**S168099**      B199531 Second Appellate District, Div. 6      **P. (S.), IN RE**  
Petition for review denied

The request for an order directing publication of the opinion is denied.

George, C. J., was absent and did not participate.

**S168277**      B201306 Second Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. HAYES (KEVIN LEWIS)**

**S168311**      B199604 Second Appellate District, Div. 5

Petitions for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. HERNANDEZ (ALEX), MEJIA (OSCAR), & DEJESUS (LUIS)**

**S168446**      H032639 Sixth Appellate District

Petition for review & depublication request(s) denied

Werdegarr, J., is of the opinion the petition should be granted.

George, C. J., was absent and did not participate.

**L. (J.), IN RE**

**S168458**      E042775 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. BROWN (TERRANCE L.)**

**S168501**      F056341 Fifth Appellate District

The petition for review is denied without prejudice to filing a petition for writ of habeas corpus in the trial court. (See *In re Lawrence* (2008) 44 Cal.4th 1181.)

George, C. J., was absent and did not participate.

Baxter, J., was recused and did not participate.

**HERNANDEZ (TRINIDAD) ON H.C.**

**S168505**      D050723 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. GATER (DEMETRIUS D.)**

**S168519**      B199017 Second Appellate District, Div. 8

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. CUMMINGS  
(DAVID TYMEL)**

**S168536**      C043590 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. GARCIA (CATHY  
DAWN)**

**S168590**      E044462 Fourth Appellate District, Div. 2  
**(KARLUKI**

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. JONES  
LARRY)**

**S168593**      G037261 Fourth Appellate District, Div. 3

Petitions for review denied

George, C. J., was absent and did not participate.

**PATRICK (YMELDA T.) v.  
ALACER CORPORATION**

**S168606**      C056037 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. ESPINOZA  
(RAYMOND)**

**S168616**      H032408 Sixth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. RANGEL  
(KENNETH ROBERT)**

**S168623**      A119061 First Appellate District, Div. 1

Petition for review denied  
The application to appear as counsel pro hac vice is granted.  
George, C. J., was absent and did not participate.

**DEFEND BAYVIEW  
HUNTERS POINT  
COMMITTEE v. CITY &  
COUNTY OF SAN  
FRANCISCO**

**S168631**      G039092 Fourth Appellate District, Div. 3

Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. GOMEZ (ELISEO  
CRUZ)**

**S168647**      A119696 First Appellate District, Div. 5

Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. MCKNIGHT  
(BRYAN LAMONT)**

**S168658**      B203868 Second Appellate District, Div. 4

Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. LOPEZ (RANDY  
MICHAEL)**

**S168661**      H031334 Sixth Appellate District

Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. TABOR  
(CLIFFORD ALFRED)**

**S168671**      B205615 Second Appellate District, Div. 3

Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. GALVAN  
(EMMANUEL)**

**S168698** H033521 Sixth Appellate District  
Petition for review denied  
George, C. J., was absent and did not participate.

**VIGIL (DAVID) ON H.C.**

**S168708** C056136 Third Appellate District  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. JAKE (JASON  
JERMELL)**

**S168716** G039167 Fourth Appellate District, Div. 3  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. SONG (JEE  
HYUN)**

**S168725** E046985 Fourth Appellate District, Div. 2  
Petition for review denied  
George, C. J., was absent and did not participate.

**CRAWLEY (JON R.) ON H.C.**

**S168736** G037607 Fourth Appellate District, Div. 3  
  
Petitions for review denied  
George, C. J., was absent and did not participate.

**PATRICK (YMEDLA T.) v.  
TURNER (JAMES)/(SMITH)**

**S168741** E044179 Fourth Appellate District, Div. 2  
  
Petition for review denied  
Kennard, J., is of the opinion the petition should be granted.  
George, C. J., was absent and did not participate.

**PEOPLE v. GILL (MONTY  
LYLE)**

**S168742** G037623 Fourth Appellate District, Div. 3  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. MOLINA (DAVID  
GINO)**

**S168752**      B211132 Second Appellate District, Div. 7

Petition for review denied

George, C. J., was absent and did not participate.

**DEJURNETT (TIMOTHY) ON  
H.C.**

**S168772**      H031996 Sixth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. WILLIAMS  
(CHARLES)**

**S168790**      F056179 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

Baxter, J., was recused and did not participate.

**RICCHIO (LINDA  
ELIZABETH) ON H.C.**

**S168804**      C052921 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. HAWES (JAMES  
LYONS)**

**S168832**      E042956 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v.  
NIEVWENHUYZEN (PIETER)**

**S168844**      F054122 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. CARRILLO  
(EDDIE URBANO)**

**S168847**      B200994 Second Appellate District, Div. 2

Petitions for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. BERNOUDY  
(PABLO)**

<b>S168854</b>	B204657 Second Appellate District, Div. 2	<b>PEOPLE v. ZAPATA (JESUS)</b>
Petition for review denied		
George, C. J., was absent and did not participate.		
<b>S168873</b>	E044952 Fourth Appellate District, Div. 2	<b>PEOPLE v. ERVIN (ERIK JERMAINE)</b>
Petition for review denied		
George, C. J., was absent and did not participate.		
<b>S168874</b>	E044803 Fourth Appellate District, Div. 2	<b>PEOPLE v. MORCELI (ABDELKADER)</b>
Petition for review denied		
George, C. J., was absent and did not participate.		
<b>S168912</b>	B198577 Second Appellate District, Div. 2	<b>PEOPLE v. BRADLEY (SEAN MICHAEL)</b>
Petition for review denied		
George, C. J., was absent and did not participate.		
<b>S168918</b>	E044318 Fourth Appellate District, Div. 2	<b>V. (G.), IN RE</b>
Petition for review denied		
George, C. J., was absent and did not participate.		
<b>S168919</b>	G039194 Fourth Appellate District, Div. 3	<b>SZANTO (PHILLIP) v. SZANTO (PETER)</b>
Petition for review denied		
George, C. J., was absent and did not participate.		
<b>S168922</b>	B203206 Second Appellate District, Div. 4	<b>S. (V.), IN RE</b>
Petition for review denied		
George, C. J., was absent and did not participate.		

**S168932** H031165 Sixth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. CLAYTON (ADIO  
KAMAU)**

**S168940** B195720 Second Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**MAKO FUND, INC. v. SAN  
REMO FUNDING GROUP**

**S168946** F056453 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**STRUGGS (CEDRIC LYNN)  
ON H.C.**

**S168951** E044605 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**C. (A.), IN RE**

**S168960** G039307/G039672 Fourth Appellate District, Div. 3 **PEOPLE v. AGUIRRE (NOEL  
ANUAR) & ACOSTA (JESUS  
EDUARDO)**

Petitions for review denied

George, C. J., was absent and did not participate.

**S168966** B204746 Second Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**BEN-ARTZI (ITAI) v.  
WILSON (RICHARD)**

**S168994** B201277 Second Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. GRANADOS  
(MIGUEL ANGEL)**

**S169003**      A121594 First Appellate District, Div. 4

Petition for review denied  
George, C. J., was absent and did not participate.

**BRIGGS (CATHERINE  
LOUISE) v. BREINER  
(RICHARD H.)**

**S169009**      C060518 Third Appellate District

Petition for review and application for stay denied  
George, C. J., was absent and did not participate.

**DEWEERD (JENNY LEE) v.  
S.C. (PEOPLE)**

**S169013**      E037490 Fourth Appellate District, Div. 2

Petitions for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. AGUILLAR  
(IGNACIO A.)**

**S169014**      B212260 Second Appellate District, Div. 7

Petition for review denied  
George, C. J., was absent and did not participate.

**MORAN (SALVADOR) ON  
H.C.**

**S169030**      B205760 Second Appellate District, Div. 7

Petition for review denied  
George, C. J., was absent and did not participate.

**CHUEN (IP PAK) v. HONG  
(JENNIFER KWAI-YENG)**

**S169052**      D052507 Fourth Appellate District, Div. 1

Petition for review denied  
George, C. J., was absent and did not participate.

**WALKER (STEVE ERIC) ON  
H.C.**

**S169056**      D051412 Fourth Appellate District, Div. 1

Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. JONES (JOHNNY)**

**S169062** F054185 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**CUEVAS (RAMON J.) v.  
TUNG (BALWINDER SINGH)**

**S169067** B198578 Second Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. LOZANO  
(SAMMY)**

**S169082** H031048 Sixth Appellate District

Petition for review denied

Kennard and Werdegar, JJ., are of the opinion the petition should be granted.

George, C. J., was absent and did not participate.

**MURGUIA (MARY &  
FRANK), MARRIAGE OF**

**S169101** B196521 Second Appellate District, Div. 6

Petition for review denied

George, C. J., was absent and did not participate.

**JONES (LINDSAY) v.  
DYKSTRA (LENNY K)**

**S169106** B212472 Second Appellate District, Div. 6

Petition for review denied

George, C. J., was absent and did not participate.

**BAKER (MELODY) v. S.C.  
(CITY OF SAN  
BUENAVENTURA)**

**S169111**

Petition for writ of mandate/prohibition & stay denied

George, C. J., was absent and did not participate.

**GONZALEZ (DANIEL) v.  
OHLRICH (FREDERICK  
K.)/(DENTAL BOARD OF  
CALIFORNIA)**

**S169128**      A123406 First Appellate District, Div. 5

Petition for review denied

George, C. J., was absent and did not participate.

**THOMAS (JAMES) ON H.C.**

**S169134**      D051143 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**GONZALEZ (LINDA K.) v.  
BAILEY (JUDY R.)**

**S169148**      F055432 Fifth Appellate District

Petition for review denied

The request for judicial notice is denied.

George, C. J., was absent and did not participate.

**H. (R.), IN RE**

**S169153**      B200929 Second Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. FLEMING  
(MARTEL DREA)**

**S169154**      D051821 Fourth Appellate District, Div. 1

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

George, C. J., was absent and did not participate.

**PEOPLE v. FOSTER (DEREK)**

**S169163**      A118622 First Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. DAVIS (MARQUIS  
MATTHEW)**

**S169177**      D050586 Fourth Appellate District, Div. 1

The petition for review is denied without prejudice to any relief to which defendant might be entitled after the decision of the United States Supreme Court in *Arizona v. Gant*, No. 07-542, and the decision of this court in *People v. Leal*, S162271.

George, C. J., was absent and did not participate.

**PEOPLE v. RODRIGUEZ  
(MICHAEL BLAS)**

**S169180**      D052143 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. DUCKETT (TINA D.)**

**S169181**      B200471 Second Appellate District, Div. 4

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. THOMAS (SEAN)**

**S169183**      B203218 Second Appellate District, Div. 7

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. JOHNSON (GREGORY WAYNE)**

**S169184**      G039102 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. SANCHEZ (JUAN JAIME)**

**S169186**      H031356 Sixth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. AIRY (CHARLES DWAYNE)**

**S169190**      B204505 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. HARMON (JOSEPH)**

**S169191**      C060408 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. PRICE (WILLIAM HENRY)**

**S169192**      G039151 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**V. (D.), IN RE**

**S169202**      F052535 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. BLACKMON, JR.,  
(THEODORE)**

**S169215**      A122852 First Appellate District, Div. 5

Petition for review denied

George, C. J., was absent and did not participate.

**WILLIAMS (ERNEST) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD (PINKERTON  
SECURITY)**

**S169234**      E043732 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. IBARRA (JOSE  
ROGELIO)**

**S169238**      B202919 Second Appellate District, Div. 4

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. DOHERTY  
(JAMES)**

**S169241**      E047224 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**ALARCON (LOUIS  
ANTHONY) v. S.C. (PEOPLE)**

**S169244**      A121191 First Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**MOHAMMAD (FARIHA) v.  
WORKERS' COMPENSATION  
APPEALS BOARD**

**S169245**      E044067 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. REEVES  
(RUSSELL ALLEN)**

**S169249**      B205225 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**G. (C.), IN RE**

**S169251**      E043977 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. LANE (THOMAS  
MACK)**

**S169253**      B201976 Second Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. DAIRE (SOPHIA  
LORRAINE)**

**S169258**      D051344/D051421 Fourth Appellate District, Div. 1 **PEOPLE v. ROBLES, JR.,  
(GERARDO BROWN)**

Petition for review denied

George, C. J., was absent and did not participate.

**S169277**      A117892 First Appellate District, Div. 4

Petition for review denied

George, C. J., was absent and did not participate.

**HOOPEs (ERIC) v. DOLAN  
(JOHN P.)**

**S169282**      H032607 Sixth Appellate District  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. TORRES (JAMES)**

**S169289**      G039260 Fourth Appellate District, Div. 3  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. HERNANDEZ  
(ABRAHAM ALBERT)**

**S169292**      B198726 Second Appellate District, Div. 4  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. MITCHELL  
(WILLIE LEE)**

**S169294**      G038554 Fourth Appellate District, Div. 3  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. BOHLER  
(TAMARA KAY)**

**S169298**      D050550 Fourth Appellate District, Div. 1  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. HURTADO  
(RICKY ALLEN)**

**S169299**      B199591 Second Appellate District, Div. 8  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**WANG (FU) v. KING DREW  
MEDICAL CENTER**

**S169300**      B205321 Second Appellate District, Div. 2  
  
Petition for review denied  
George, C. J., was absent and did not participate.

**PEOPLE v. CASTRO (JOHN  
GUZMAN)**

**S169302**      G039761 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. SPEIGHTS, JR.,  
(JAMES HERBERT)**

**S169307**      E042917 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. ROJAS (PEDRO  
REYES)**

**S169312**      F054182 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. WRIGHT  
(RICHARD DANIEL)**

**S169314**      B206123 Second Appellate District, Div. 6  
**(EDWIN)**

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. MEDINA**

**S169321**      B206531 Second Appellate District, Div. 5

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. PERKINS  
(MICHAEL D.)**

**S169332**      B200662 Second Appellate District, Div. 8

Petition for review denied

George, C. J., was absent and did not participate.

**MCGRATH (THOMAS) v.  
ASSOCIATED READY  
MIXED CONCRETE, INC.**

**S169364**      B197124 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**B. (D.), IN RE**

**S169375**      G039331 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. DELGADO  
(RONNIE ORLANDO)**

**S169404**      G039286 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. PIEDRA, JR.,  
(FIDEL SALAS)**

**S169409**

Petition for writ of mandate/prohibition denied

George, C. J., was absent and did not participate.

**MOSLEY (DIMITRIC) v. S.C.  
(PEOPLE)**

**S169432**

The petition for writ of supersedeas is denied without prejudice to its refiling, if necessary and appropriate, in *In Re Marriage of Mary and Frank Murguia*, S169082.

George, C. J., was absent and did not participate.

**MURGUIA (MARY &  
FRANK), MARRIAGE OF**

**S169637**      E047260 Fourth Appellate District, Div. 2

Petition for review denied

The motion to file the petition for review under seal is granted.

George, C. J., was absent and did not participate.

**NAJERA (MIGUEL  
VALDIVIA) v. S.C. (PEOPLE)**

**S162144**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**DANNENBERG (JOHN E.) ON  
H.C.**

**S163182**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**BERNA (BRIAN GLEN) ON  
H.C.**

**S165186**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**HOUK (LARRY N.) ON H.C.**

**S165364**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**MOORE (LAPEER) ON H.C.**

**S165367**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**LEWIS (CHRISTOPHER) ON  
H.C.**

**S165371**

**ALLEN)**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**FLETCHER (SHAWN  
ON H.C.**

**S165419**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**BROWN (ROBERT) ON H.C.**

**S165451**

Petition for writ of habeas corpus denied  
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)  
George, C. J., was absent and did not participate.

**WHITE (BERNARD  
ANDREW) ON H.C.**

**S165455**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**SIMPSON (CHAUNCEY  
RENEE) ON H.C.**

**S165458**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**FLORES (RICHARD) ON H.C.**

**S165468**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**CONNORS (THOMAS  
JOSEPH) ON H.C.**

**S165470**

Petition for writ of habeas corpus denied  
(See *In re Dixon* (1953) 41 Cal.2d 756; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218.)  
George, C. J., was absent and did not participate.

**GONZALEZ (LEANDRO L.)  
ON H.C.**

**S165472**

Petition for writ of habeas corpus denied  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)  
George, C. J., was absent and did not participate.

**SOROKA (VLADIMIR A.) ON  
H.C.**

**S165483**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**ESQUERRA (REY) ON H.C.**

**S165498**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**TURNER (TYRONE) ON H.C.**

**S165503**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**WALKER (RICHARD) ON  
H.C.**

**S165533**

Petition for writ of habeas corpus denied  
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)  
George, C. J., was absent and did not participate.

**HOOVER (MARK A.) ON H.C.**

**S165537**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**MORGAN (ROBERT  
ALEXANDER) ON H.C.**

**S165550**

Petition for writ of habeas corpus denied  
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)  
George, C. J., was absent and did not participate.

**COOPER (RODERICK) ON  
H.C.**

**S165555**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**USHER (NATHANIEL) ON  
H.C.**

**S165575**

Petition for writ of habeas corpus denied  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)  
George, C. J., was absent and did not participate.

**BROWN (RICKY LAVON) ON  
H.C.**

**S165578**

Petition for writ of habeas corpus denied

**LEWIS (PAUL) ON H.C.**

George, C. J., was absent and did not participate.

**S165592**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**CURTIS (ERIC) ON H.C.**

**S165696**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**SCHUSTER (THOMAS C.) ON  
H.C.**

**S165762**

**ON**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C. J., was absent and did not participate.

**RUTLEDGE (THOMAS L.)**

**H.C.**

**S165804**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**SOTO (GUSTAVO T.) ON H.C.**

**S165808**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218.)

George, C. J., was absent and did not participate.

**FULLER (THADDEUS) ON  
H.C.**

**S165811**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**ALAMO (JORGE) ON H.C.**

**S165817**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**BARBOA (ARTURO) ON H.C.**

**S166086**

Petition for writ of habeas corpus denied  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)  
George, C. J., was absent and did not participate.

**JONES (CARL Q.) ON H.C.****S166088**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**POLK (SUSAN) ON H.C.****S166359**

Petition for writ of habeas corpus denied  
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)  
George, C. J. was absent and did not participate.

**KILLEBREW (CHESTER R.)  
ON H.C.****S166376**

Petition for writ of habeas corpus denied  
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)  
George, C. J., was absent and did not participate.

**JEFFRIES (ALLEN LYNN)  
ON H.C.****S166381**

Petition for writ of habeas corpus denied  
George, C. J., was absent and did not participate.

**LOWE (DARRELL) ON H.C.****S166426**

Petition for writ of habeas corpus denied  
(See *United States v. MacCollum* (1976) 426 U.S. 317.)  
George, C. J., was absent and did not participate.

**HERNANDEZ (ABIB  
ORLANDO) ON H.C.**

**S167155****SCHUSTER (THOMAS C.) ON  
H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

George, C. J., was absent and did not participate.

**S167236****WHITE (BERNARD  
ANDREW) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C. J., was absent and did not participate.

**S168121****ON****RUTLEDGE (THOMAS L.)****H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

George, C. J., was absent and did not participate.

**S168984****LEMIEUX (GUY) ON H.C.**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**S169492****RHODES (BERNARD) ON  
H.C.**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**S169503****BARTHOLOMEW (KEVIN)  
ON H.C.**

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**S169597****STARKS (MARION CEDRIC)  
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

George, C. J., was absent and did not participate.

**S170004****BODNAR (THOMAS) ON H.C.**

Petition for writ of habeas corpus &amp; stay denied

George, C. J., was absent and did not participate.

**S169352****MACEACHERN ON  
REINSTATEMENT**

Order: (dispositive)

The petition for relief from suspension pursuant to California Constitution Article VI, section 18(e) is transferred to the State Bar Court for consideration and recommendation based on petitioner's rehabilitation, present fitness to practice, and present learning and ability in the general law.

George, C. J., was absent and did not participate.

**S168532** E042200 Fourth Appellate District, Div. 2**CHANDRA FAMILY TRUST  
851 v. COUNTRYWIDE  
HOME LOANS, INC.**

Publication request denied (case closed)

George, C. J., was absent and did not participate.

**S168601** E043375 Fourth Appellate District, Div. 2**BENNETT (KATHRYN) v.  
PACIFICARE HEALTH  
SYSTEMS LLC.**

Publication request denied (case closed)

The requests for an order directing publication of the opinion in the above-entitled appeal are denied.

George, C. J., was absent and did not participate.

**S168607** F055891 Fifth Appellate District

Publication request denied (case closed)  
George, C. J., was absent and did not participate.

**DYKES (DAVID) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD**

**S168754** A120749/A120757 First Appellate District, Div. 3 **UPHOLD OUR HERITAGE v.  
TOWN OF WOODSIDE  
(JOBS)**

Publication request denied (case closed)  
The requests for an order directing publication of the opinion in the above-entitled appeal are denied.  
George, C. J., was absent and did not participate.

**S168760** A120879 First Appellate District, Div. 2

Publication request denied (case closed)  
George, C. J., was absent and did not participate.

**PAUL (YVONNE), ESTATE  
OF**

**S168768** B201677 Second Appellate District, Div. 1

Publication request denied (case closed)  
The requests for an order directing publication of the opinion in the above-entitled appeal are denied.  
George, C. J., was absent and did not participate.

**PUGH (DELORES) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD/(COUNTY OF LOS  
ANGELES)**

**S168845** D051511 Fourth Appellate District, Div. 1

Publication request denied (case closed)  
George, C. J., was absent and did not participate.

**SAFAIE (SHAHROKH  
DOCTOR) v. JACUZZI  
WHIRLPOOL BATH  
INCORPORATED**

